

United States District Court
Western District of Texas
San Antonio Division

C.M. on his own behalf and on behalf of his
minor child, D.V.,

Plaintiffs,

v.

United States of America,

Defendant.

Case No. SA-21-CV-00234-JKP-ESC

Motion to Extend Stay of Proceedings

Defendant, by and through the United States Attorney for the Western District of Texas and the undersigned Assistant United States Attorney, hereby respectfully requests an extension of the stay in this case, and in support thereof would show as follows:

1. An Order granting Motion to Stay Case until November 26, 2021 was issued on September 27, 2021.

2. Over the past 60 days, the United States and the group of counsel coordinating negotiations on behalf of plaintiffs and claimants (“Coordinating Counsel”) have continued to work diligently in an effort to resolve the many district court cases and administrative tort claims that have been filed by claimants across the country, arising from family separations at the U.S./Mexico border that occurred during the prior administration.

3. An agreement has not been reached. However, a further abeyance will allow the parties to continue focusing their efforts on attempting to resolve these matters.

4. Accordingly, the parties jointly request that this action, including all proceedings and case deadlines, be held in abeyance for an additional 30 days. If the parties determine within the next 30 days that they are unable to reach an agreement, the parties will stipulate at that point to lift the stay and submit a proposed briefing schedule.

Wherefore, Defendant respectfully requests that the Court extend the stay of proceedings in this case as set forth in the attached proposed order.

Respectfully submitted,

Ashley C. Hoff
United States Attorney

By: /s/Faith Johnson Lowry
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Attorneys for Defendant

Certificate of Conference

I certify that I conferred with counsel for Plaintiff regarding the relief sought in this motion, and he stated that he is not opposed.

/s/Faith Johnson Lowry
Faith Johnson Lowry
Assistant United States Attorney